

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DARNELL McGARY,

Plaintiff,

v.

JUDGE CULPEPPER *et al.*,

Defendants.

Case No. C05-5376RBL

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The documentation provided by plaintiff shows a monthly income of approximately \$430.00 per month. (Dkt. # 1).
- (2) Plaintiff's motion to proceed *in forma pauperis* is **DENIED**.
- (3) Plaintiff has thirty days from the date of this order to pay the full filing fee.
- (4) The clerk is directed to send copies of this Order to plaintiff, counsel for any defendants who have appeared, and to the Hon. J. Kelley Arnold.

DATED this 9<sup>th</sup> day of August, 2005.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE